

Azadeh Dehghani/ A 221 211 320

Name and Prisoner Number/Alien Registration Number  
Otero Processing Center

Place of Confinement  
26 McGregor Range Road

Mailing Address  
Chaparral, New Mexico 88081

City, State, Zip Code

(Failure to notify the Court of a change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

Azadeh Dehghani

(Full Name of Petitioner)

Petitioner,

v.

No. CV

(To be supplied by the Clerk)

Ms. Dora Castro, Otero Processing Center Warden,

(Name of Warden, Jailor or authorized person  
having custody of Petitioner)

☐ AMENDED PETITION

Respondent(s).

**PETITION UNDER 28 U.S.C. § 2241 FOR A WRIT OF HABEAS CORPUS**

1. What are you challenging in this petition?

- ☒ Immigration detention  
☐ Bureau of Prisons sentence calculation or loss of good-time credits  
☐ Probation, parole or supervised release  
☐ State Pre-trial detention  
☐ Other (explain): \_\_\_\_\_

2. (a) Name and location of the agency or court that made the decision you are challenging:  
U.S. Immigration and Customs Enforcement and the Otero Processing Center

(b) Case or opinion number: \_\_\_\_\_

(c) Decision made by the agency or court: U.S. Immigration and Customs Enforcement and  
Otero Processing Center Warden and Customs and Border Protection

(d) Date of the decision: \_\_\_\_\_

3. Did you appeal the decision to a higher agency or court? Yes ☐ No ☒

If yes, answer the following:

(a) First appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Second appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(c) Third appeal:

- (1) Name of the agency or court: \_\_\_\_\_
- (2) Date you filed: \_\_\_\_\_
- (3) Opinion or case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

4. If you did not appeal this decision to a higher agency or court, explain why you did not:

I did not appeal this decision because I have been processed as an Expedited Removal (ER) and I did not receive a Notice to Appear.  
\_\_\_\_\_  
\_\_\_\_\_

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes ☐ No ☒

If yes, answer the following:

(a) Name of the Agency or court: \_\_\_\_\_

(b) Date you filed: \_\_\_\_\_

(c) Opinion or case number: \_\_\_\_\_

(d) Result: \_\_\_\_\_

(e) Date of result: \_\_\_\_\_

(f) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

6. For this petition, **state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States.** Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) any available administrative or judicial remedies on each ground on which you requested action by the federal court.

**GROUND ONE:** I am unlawfully detained in violation of the U.S. Constitution specifically the due process clause and corresponding Immigration laws.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

Please refer to the attached for Factual Background.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground One?

Yes ☐ No ☒

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals  
☐ The Office of General Counsel  
☐ The Parole Commission  
☐ The State Court  
☐ Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground One, explain why:

I was not given a Notice to Appear and I was not taken before an Immigration Judge in Immigration Court.

GROUND TWO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

Please refer to the attached for Factual Background.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Two?

Yes ☐ No ☒

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals  
☐ The Office of General Counsel  
☐ The Parole Commission  
☐ The State Court  
☐ Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Two, explain why:

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Please refer to the attached for Factual Background.

Yes ☐ No ☒

☐ The Board of Immigration Appeals  
☐ The Office of General Counsel  
☐ The Parole Commission  
☐ The State Court  
☐ Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Three, explain why:

[illegible]

GROUND FOUR: \_\_\_\_\_

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(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

Please refer to the attached for Factual Background.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Four?

Yes ☐ No ☒

(c) If yes, did you present the issue to:

- The Board of Immigration Appeals

- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ The State Court
- ☐ Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Four, explain why: \_\_\_\_

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Please answer these additional questions about this petition:

7. Are you challenging your conviction or sentence in any of the grounds raised above?

Yes ☐ No ☒

(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless remedies under § 2255 are legally inadequate or ineffective. Claims challenging a state conviction or sentence must be raised in a petition for writ of habeas corpus under 28 U.S.C. § 2254.)

If yes, answer the following:

- (a) Have you filed -- a motion under 28 U.S.C. § 2255? Yes ☐ No ☐  
 -- a petition under 28 U.S.C. § 2254? Yes ☐ No ☐

If yes, answer the following:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**



(b) Explain why the remedy under § 2255 is inadequate or ineffective: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. If this petition concerns immigration detention or removal proceedings, answer the following:

(a) Date you were taken into immigration custody: December 26, 2024

(b) Date of removal or reinstatement order: December 26, 2024

(c) Did you file an appeal with the Board of Immigration Appeals? Yes ☐ No ☒

(1) Date you filed: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

9. If this petition concerns your confinement by the State of New Mexico, answer the following:

(a) Date you were arrested/detained: \_\_\_\_\_

(b) Charge(s) brought: \_\_\_\_\_

(c) Projected date of your trial: \_\_\_\_\_

(d) Are you represented by counsel? Yes ☐ No ☐

(e) Have you raised your claims in the State Court? Yes ☐ No ☐

(1) Name of Court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

10. Petitioner asks that the Court grant the following relief: Parole/Release

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on January 15, 2025 (month, day, year).



\_\_\_\_\_  
Signature of Petitioner



\_\_\_\_\_  
Signature of attorney, if any

1-15-2025  
Date